

SFIM-AEC-ERP (50-6c)

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Army Implementing Guidance for Department of Defense and State Memorandum of Agreement/Cooperative Agreement Program

1. Reference HQUSACE, CEMP-RI, 22 Aug 97, DoD Manual "Working Together to Achieve Cleanup: A Guide to the Cooperative Agreement Process."
2. The Department of Defense and State Memorandum of Agreement (DSMOA) program funds state environmental regulatory agencies for technical services provided in support of the DoD's restoration programs. The goals of the DSMOA/Cooperative Agreement (CA) Program are to expedite the cleanup process by ensuring timely reviews of documents prepared by the Service installations and/or their executors, to comply with state regulations, and to improve coordination and cooperation between DoD and state/territorial regulatory communities.
3. The Army is the executive agent of the DSMOA/CA Program. The program is executed by the U.S. Army Corps of Engineers (USACE). Due to the devolvement of the Defense Environmental Restoration Account, each component Service is responsible for providing funds to USACE for disbursement to the states that have a signed DSMOA.
4. Enclosed is the Army Six-Step Process implementing guidance (encl 1) associated with the referenced manual. This guidance outlines the roles and responsibilities for states and Army organizations participating in the program. Also enclosed is a two-year workplan table (encl 2) and an Installation Cleanup Plan for years FY+3 through FY+6 (encl 3). Both enclosures 2 and 3 are examples of the jointly signed forms mentioned in Step 2 of the CA process.

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5. The POC for this Center is Ms. Kimberly Watts, (410) 436-1523 (DSN) 584.

FOR THE ASSISTANT CHIEF OF STAFF FOR INSTALLATION MANAGEMENT:

3 Encls  
as

RICHARD L. FREEMAN  
Colonel, GS  
Director, Environmental Programs

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U.S. ARMY ENVIRONMENTAL CENTER  
ENVIRONMENTAL RESTORATION DIVISION

ARMY IMPLEMENTATION GUIDANCE FOR THE DEPARTMENT OF DEFENSE  
(DOD) AND STATE MEMORANDUM OF AGREEMENT (DSMOA)/COOPERATIVE  
AGREEMENT (CA) PROGRAM

The new CA guide, "Working together to Achieve Cleanup: A Guide to the Cooperative Agreement Process," is a generic guide and applies to each Service within a state. However, because of the differences in how each Service works with the state, the Army has determined that more detailed guidance is necessary for the Army implementation of the new CA process. Below are verbatim excerpts of the six-step process from the new CA guide, followed by the Army's descriptive instructions on how to implement that step. "The Army has designated a California DSMOA liason to coordinate DSMOA related efforts with the state of California. Additional guidance will be developed and sent to those MACOMS and installations located in the state of California."

**STEP 1 (CA GUIDE):** "The designated representative of the state-for example, the state remedial project manager (RPM)-contacts the appropriate installation representative-for example, the environmental coordinator (EC) for the installation - to indicate that the state is initiating the development of the two-year CA."

**ARMY IMPLEMENTATION:** For active installations, the state Remedial Project Manager (RPM) will contact the installation RPM directly; for Base Realignment and Closure (BRAC) sites, the state RPM will contact the BRAC Environmental Coordinator (BEC) or the Fast Track Cleanup Point of Contact (FTC POC), to indicate that the state is initiating development of the CA (the FTC POC is appointed by the major Army command (MACOM) when a full-time BEC is not required). The installation POC should be contacted, by the state, no later than July of the year prior to the start of the two-year CA process. If the installation POC has not been contacted by July, the installation POC shall contact the state RPM.

**STEP 2 (CA GUIDE):** "The installation...should provide the RPM with a detailed schedule of deliverables and activities for the two-year CA period and a narrative summary of activities planned for the four years subsequent to the two-year CA – that is years three through six."

**ARMY IMPLEMENTATION:**

a. The installation POC (from step 1 above) will provide the state RPM with a detailed schedule of restoration program activities, by site, that the installation

will undertake during the two-year CA period. The installation POC should also provide the State RPM with expected activities for years three through six. Information provided to the State should be based on schedules reflected in the Defense Site Environmental Restoration Tracking System (DSERTS) and Installation Action Plan, or BRAC Cleanup Plan and supported by costs identified in the Cost-to-Complete.

b. The installation POC and the state RPM will together identify and agree upon the activities to be accomplished under the six-year CA period.

c. The end products of this step are jointly signed forms (see encls 2 and 3), one for the detailed two-year CA (Two-Year Work Plan Table) and the other is for the narrative summary of years 3 through 6 (Installation Cleanup Plan for Years 3 through 6).

**STEP 3 (CA GUIDE):** “The State CA administrator, using the schedule developed in Step 2, calculates the costs of accomplishing the CA...”

**ARMY IMPLEMENTATION:** The Army POC will request that the state's draft CA include back-up information for each installation justifying the two-year work plan.

**STEP 4 (CA GUIDE):** “...service representatives – for example, a representative of the MACOM – previews the draft CA for all installations in the state.”

**ARMY IMPLEMENTATION:**

a. The Army will request the state send their draft CA to the Army POC:

U.S. Army Environmental Center  
ATTN: SFIM-AEC-ERP (Ms. Kimberly Watts)  
5179 Hoadley Road  
Aberdeen Proving Ground, MD 21010-5401

b. The U.S. Army Environmental Center (USAEC) will then send appropriate portions of the draft CA to the MACOMS and their respective installations. The installations will review and provide concurrence or comments to the MACOMs who will consolidate both installation and MACOM comments and forward them to USAEC. The USAEC will notify the state and HQUSACE DSMOA office of concurrence or issues. If there are issues to resolve, the USAEC, MACOM, and state RPM shall work together to reach a reconciliation.

c. Once there is concurrence on the draft CA, the USAEC will notify Headquarters Department of the Army, Office of the Director of Environmental Programs (HQDA ODEP) for concurrence (Note: ODEP will coordinate with the

Base Realignment and Closure Office). The HQDA ODEP will then notify the Deputy Assistant Secretary of the Army (Environment, Safety, and Occupational Health) (DASA(ESOH)) of the results of the review process for approval.

**CA GUIDE:** “The DOD, or component regional environmental coordinator (REC), will coordinate the effort as required and ensure that the installation-level agreements for that service have been represented accurately.”

**ARMY IMPLEMENTATION:** The REC will be notified, by the installation, for information purposes, if the Army and state encounter difficulties in approving the CA. Once the CA is approved by DASA(ESOH), the USAEC will send a copy to the REC, if requested.

**CA GUIDE:** “The REC will also ensure that each service representative has the opportunity to review the statewide cost summary and backup installation costs that have been supplied. The state and each service may opt for a briefing to review the information, or by mutual agreement, may waive the briefing. This forum is provided to share information, provide clarification, and form an agreement on the reasonableness of the draft CA. “

**ARMY IMPLEMENTATION:**

a. The Army POC will request the state provide the backup data supporting the installation costs together with the draft CA to the USAEC for dissemination to the MACOMs and their respective installations.

b. There must be concurrence on behalf of all parties within the Army in order for the CA application to proceed beyond Step 4.

**STEP 5 (CA GUIDE):** “The state completes its CA application and submits the application to HQUSACE for processing and funding. The CA application includes the summary of costs by service and by funding source for each of the two years of the CA, and presents an estimate of total costs for years three through six (by service and by fund source)....HQUSACE will transmit all of the CA applications to the DoD points of contact (DASA (ESOH)) for signed concurrence.”

**ARMY IMPLEMENTATION:** If the total Army funds requested per state is 20% greater or 20% less than the Army allowed, then the discrepancy will be addressed by the USAEC in coordination with the state.

**STEP 6 (CA GUIDE):** “The individual service provides its share of the first year’s funding by February 1 (before the July 1 start date of the CA).”

## **ARMY IMPLEMENTATION:**

a. Army (USAEC via program management funds for active sites and BRACO for BRAC sites) provides its share of the first year funding to HQUSACE by February 1.

b. Listed below are the approximate dates that the DSMOA steps will occur.

- **Step 1** Jun/Jul - Thirteen calendar months before the award date the CA process begins.
- **Step 2** Jun/Aug - A joint six-year cleanup plan for all activities that require state involvement.
- **Step 3** Sep/Oct - The state develops the CA budget.
- **Step 4** Oct/Nov – The draft CA is sent to USAEC.
- **Step 5** Jan – The state completes its CA application and submits the application to HQUSACE for processing and funding.
- **Step 6** Feb/Apr – The Army (USAEC and BRACO) provides its share of the funding to HQUSACE.

## TWO-YEAR WORKPLAN TABLE

Name of Installation, Project, or  
Operable Unit

Funding Source

\_\_\_\_\_

DERP \_\_\_\_\_

BRAC \_\_\_\_\_

BRAC II \_\_\_\_\_

BRAC III \_\_\_\_\_

Service

BRAC IV \_\_\_\_\_

\_\_\_\_\_



List all major milestones occurring at the installation for years 1 and 2.

**YEAR 1 – FROM TO**


**YEAR 2 – FROM TO**


State Project Manager \_\_\_\_\_ Date

DOD Project Manager \_\_\_\_\_ Date

Date of Plan or Update \_\_\_\_\_

**Appendix F**

**Sample Installation Cleanup Plan Narrative**

## **Installation Cleanup Plan for Years FY+3 through FY+6 Armed Forces Base Tahuya**

Overview: AFB Tahuya's restoration program is conducting cleanups at six sites. Based on the work plan for FY+1 and FY+2, at the beginning of FY+3 the program will have two sites in long-term operation (LTO), two sites in the site investigation (SI) phase, and one site each in the remedial design (RD) and the remedial action (RA) phases. Long-term monitoring (LTM) and public involvement/community outreach through the installation's Restoration Advisory Board (RAB) will be ongoing elements of the restoration program.

Goals: The program's goals for the years FY+3 through FY+6 are:

- To protect human health and the environment through LTO at ongoing cleanup sites.
- To protect human health through LTM at nearby residential wells.
- To reach construction completion for two sites, and move them from RD/RA into LTO.
- To complete a treatability study at one site, and move the site from SI to LTM.
- To remove the contaminant source at one site, and issue a Determination of No Further Action.
- To ensure the effectiveness of the selected remedies through evaluation of LTM.
- To provide opportunities for public involvement, commensurate with the declining level of activity in the restoration program, through the RAB.

Public Health and The Environment: At the end of FY+6, cleanup actions are expected to have virtually eliminated the adjacent residents' risk of exposure to contaminated groundwater migrating off the installation. Installation residents' and workers' risks of unacceptable exposures to contaminants will be reduced significantly.

Summary Status of Cleanup Activity: The majority of cleanup work at the installation is expected to be completed late in the FY+3 through FY+6 time frame.

State Project Manager _____	Date _____
DOD Project Manager _____	Date _____
Date of Plan or Update _____	

**Note:** This plan is provided as an example. States and Services will complete the Cleanup Plan to a mutually agreeable level of detail.